

Exhibit 20

(REDACTED)

This Exhibit contains the specific pages of the deposition Plaintiffs are referencing. The entire deposition was separately filed in the record pursuant to LR 5.1 and the M.D. Ga. CM/ECF Administrative Procedures Manual.

1
2 IN THE UNITED STATES DISTRICT COURT
3 MIDDLE DISTRICT OF GEORGIA
4 COLUMBUS DIVISION

5 CASE No. 4:18-CV-00070-CDL

6 WILHEN HILL BARRIENTOS, et al.,

7 Plaintiffs,

8 - vs -

9 CORECIVIC, INC.,

10 Defendant.

11 _____/

12
13
14
15 DEPOSITION OF TERRENCE LANE

16
17 Tuesday, October 5, 2021
18 1:39 p.m. - 8:13 p.m.

19 Conducted Virtually

20
21
22 Stenographically Reported By
23 Pamela J. Pelino, RPR, FPR, CLR
24 Notary Public, State of Florida
25 TSG REPORTING

26 - - -

1 APPEARANCES:

2 On behalf of the Plaintiffs:

3 REBECCA CASSLER, ESQ.
4 MEREDITH STEWART, ESQ.
5 CJ SANDLEY, ESQ.
6 SOUTHERN POVERTY LAW CENTER
7 400 Washington Avenue
Montgomery, Alabama

8

9 On behalf of the Defendant:

10 JACOB LEE, ESQ.
STRUCK LOVE BOJANOWSKI & ACEDO
11 3100 West Ray Road
Chandler, Arizona 85226

12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 Terrence Lane

2 Q. Was there anybody else on the line when you
3 talked to Mr. Lee?

4 A. To my knowledge, no, ma'am.

5 Q. Okay. And when was that call?

6 A. We took -- we had a phone conversation
7 yesterday.

8 Q. Okay. When did you first find out about this
9 deposition?

10 A. I first found out about this deposition
11 probably, I want to say maybe about -- maybe two weeks
12 ago.

13 Q. And did you review any documents to prepare
14 for the deposition?

15 A. No, ma'am.

16 Q. Okay. Did you talk to anyone else about the
17 deposition other than your lawyer?

18 A. No, ma'am, I have not.

19 Q. So let's talk about your job. Who is your
20 current employer?

21 A. My current employer is Stewart Detention
22 Center in Lumpkin, Georgia.

23 O. And what is your current job title?

24 A. My current job title is assistant chief of
25 security

1 Terrence Lane

2 Q. And counsel for your current employer for
3 CoreCivic is representing you in this deposition today;
4 right?

5 A. Yes, ma'am.

6 Q. How long have you been assistant chief of
7 security?

8 A. I was promoted to assistant chief of security
9 on July 4th of this year.

10 O. Congratulations.

11 A. Thank you.

12 Q. And what was your job title before that?

13 A. Before promotion to assistant chief of
14 security. I was -- I had the title unit manager.

15 Q. Okay. And how long were you the unit
16 manager?

17 A. I want to say I've been the unit manager for
18 approximately about six years at Stewart Detention
19 Center

20 Q. Do you remember the year that you became a
21 unit manager?

22 A. Not off the top of my head, no, ma'am, I do
23 not

24 Q. My sense is that it was likely 2014. Does
25 that sound right to you?

1 Terrence Lane

2 A. That would be a pretty guesstimation.

3 (Discussion held off the record.)

4 BY MS. CASSLER:

5 Q. All right. So you became a unit manager most
6 likely sometime in 2014; is that right?

7 MR. LEE: Objection to the form.

8 THE WITNESS: That would be a good guess. I
9 won't -- I can't really say exactly, because off
10 the top of my head, ma'am, I'm not sure of the
11 exact time period.

12 BY MS. CASSLER:

13 Q. Okay. Before you were a unit manager, what
14 was your job title?

15 A. Before being promoted -- advanced to a unit
16 manager, I was an assistant shift supervisor.

17 Q. Assistant?

18 A. My mistake. I was a shift supervisor.

19 Q. And do you remember the approximate dates
20 that you were a shift supervisor?

21 A. I can tell you -- I can tell you I was a
22 shift supervisor for four -- approximately five years.

23 Q. And over all that time, was it -- were you
24 employed at Stewart as a shift supervisor?

25 A. Yes, ma'am. At Stewart Detention center.

1 Terrence Lane

2 Yes, ma'am.

3 Q. And before that, did you work at Stewart?

4 A. Yes, ma'am.

5 Q. And what was your title?

6 A. Before shift supervisor I was an assistant
7 shift supervisor, ma'am.

8 Q. And how long were you in that position?

9 A. As a shift -- an assistant shift supervisor
10 at Stewart Detention Center, I served in that position
11 approximately three years.

12 Q. Okay. What year did you first start working
13 at Stewart?

14 A. My employment started at Stewart Detention
15 Center, was August 6th, 2006.

16 Q. And was assistant shift supervisor your first
17 job title?

18 A. No, ma'am. My initial hire at Stewart
19 Detention Center, I was hired as an officer in
20 August 6th, 2006.

21 Q. And when did --

22 (Simultaneous speakers.)

23 BY MS. CASSLER:

24 Q. Oh, go ahead.

25 A. My first -- I became the senior detention

1 Terrence Lane

2 center, shortly after or before the end of training and
3 responsible for armory and key control.

4 Q. And after that was your next -- go ahead.

5 A. And after a year, rough estimate of a year
6 and a half as a senior detention officer, I was then
7 promoted to assistant shift supervisor.

8 (Reporter clarifies.)

9 BY MS. CASSLER:

10 Q. "UM" is a common abbreviation of unit
11 manager; is that right?

12 A. UM, yes, ma'am.

13 Q. And what does "COUM" mean?

14 A. Ma'am, COUM is the abbreviation for chief of
15 unit management.

Q. You never held that position, did you?

17 A. No, ma'am, I've never held that position.

18 Q. So let's talk about your duties and
19 responsibilities as a unit manager. What units were you
20 the manager of and for what dates?

21 A. If you'll excuse me, dates tend to -- they
22 tend to escape me a lot of times. But as a unit manager
23 at Stewart Detention Center, I've been a unit manager
24 for roughly three different units at four -- five
25 different locations. Initially my first unit as a unit

1 Terrence Lane

2 security, there may be a requirement to relocate
3 somebody, to -- it can be any reason why his
4 housing assignment is changed.

5 BY MS. CASSLER:

6 Q. Other than a threat, could you give me some
7 more examples?

8 A. Detainee A has been identified as a thief
9 inside the pod. Now, for that individual's safety, we
10 can't leave him in that pod. Because to keep him safe,
11 we're probably going to have to relocate him out.

12 Q. Are there any other reasons you can think of
13 why a housing assignment would change?

14 A. An individual might be -- have been
15 identified as this pod that he's in right here, it might
16 not be the best fit for him. He might need to move
17 someplace else. He might be a total fit over here,
18 might not be a total fit over there.

Sometimes it's very, very different. And
it's usually a case-by-case basis that people are moved
from unit to unit or from pod to pod.

22 (Reporter clarifies.)

23 BY MS. CASSLER:

24 Q. So a unit -- does a unit team have discretion
25 to move people between housing units?

1 Terrence Lane

2 A. The unit manager has pretty much the
3 discretion required that he may need to ensure the safe
4 operation of his unit, ma'am.

5 Q. And that could include changing someone's
6 housing unit; right?

7 A. Yes, ma'am. That could include changing
8 someone to another housing unit.

9 Q. Are there housing units at Stewart designated
10 for detained workers?

11 MR. LEE: Object to form.

12 THE WITNESS: As far as -- you mean those
13 individuals that are under the voluntary work
14 program?

15 BY MS. CASSLER:

16 0. Correct.

17 A. I know we were -- we've always tried to keep
18 our workers housed individually together as -- specially
19 our kitchen workers, housed together.

20 Q. Uh-huh. So at times is it the case that
21 there have been units -- or excuse me, pods that have
22 been designated as for kitchen workers?

23 MR. LEE: Object to form. Foundation.

24 BY MS CASSLER:

25 0 You can answer

1 Terrence Lane

2 barber; is that right?

3 A. Yes, ma'am.

4 Q. And a unit manager would know if a barber was
5 performing poorly; right?

6 A. Yes, ma'am.

7 MR. LEE: Object to form.

8 BY MS. CASSLER:

9 Q. Because that -- that work happens in the
-0 unit; is that right?

11 A. The unit manager would probably get a couple
12 of detainees that would tell him the barbers are not
13 doing a good job. So, yes, ma'am, he would know.

14 Q. And he would see their hair?

15 A. Yes, ma'am.

16 Q. So if there aren't any barbers -- or there
17 aren't enough barbers volunteering to do that work, who
18 would do it?

19 A. If we had no barbers cutting hair, ma'am?

20 There would be no hair cuts.

21 Q. So would there not be CoreCivic staff
22 stepping in do those hair cuts?

23 A. Not for that, ma'am.

Q. How do you know?

25 A. As a unit -- as a unit manager, I've had

1 Terrence Lane

2 elsewhere I did not have a barber. They brought a
3 barber up in that unit. And for that time period, until
4 we got a qualified barber to volunteer, we did not open
5 the barber shop. We had no barber for the operation.
6 Staff cannot do that.

7 Q. Why didn't Stewart hire somebody from the
8 outside, like a contractor or hire an employee to just
9 serve as barber?

10 MR. LEE: Form and foundation.

11 THE WITNESS: I can't answer that question,
12 ma'am.

13 BY MS. CASSLER:

14 Q. Did you ever hear of that possibility being
15 discussed?

16 A. I've never heard of that being discussed,
17 ma'am.

18 Q. Is it a problem if there aren't hair cuts
19 getting done?

20 MR. LEE: Object to form.

21 THE WITNESS: I've never had it become a
22 major issue, but over time, depending on how long
23 it can go, become an issue, yes, ma'am.

24 BY MS. CASSLER:

Q. When you say "become an issue," what do you

1 Terrence Lane

2 to -- I'm guessing now.

3 Q. You know, we don't have to get into this if
4 you don't know. That's okay.

5 So right now there are three shifts per day
6 of kitchen workers; is that right?

7 A. Yes, ma'am.

8 Q. And does the number of shifts vary based on
9 the population of the facility?

10 A. No, ma'am. Those shifts say the same.

11 Q. But you said there were two shifts before and
12 now there are three?

13 A Yes ma'am

14 0 Why is that?

15 A. Well, with the different shifts, what we did
16 was, under Chief Blackmon, as to break down the number
17 of hours that they were working, to keep the
18 possibility, try to remove that element of them having
19 to work -- getting stuck on eight hours and then their
20 jobs aren't finished, we broke them down to a
21 three-shift method that actually takes them to where
22 they're actually -- before the end of the shift, they're
23 finished within -- they may work, like I said, about
24 five hours a day.

25 Q. Okay. And if kitchen workers -- if there

1 Terrence Lane

2 weren't enough kitchen workers, who would perform the
3 work that they performed?

4 A. Stewart Detention Center officers, ma'am.

5 Q. Has that ever happened to your recollection?

6 A. Yes, ma'am.

7 Q. Getting paid their normal pay and benefits?

8 A. Yes, ma'am. I've been in the kitchen myself,
9 fixing trays.

10 Q. Uh-huh. So there's a number of positions
11 left. I think we probably don't need to cover all of
12 these. But I would like to know which other positions
13 left on this list are jobs that happen inside the unit.

14 Can you take --

15 A. Inside?

16 Q. Yes, inside the unit.

17 A. Yes, ma'am.

18 Inside the unit, your biggest inside-the-unit
19 jobs would be your shower porters and your pod porters.
20 Those are inside-unit jobs. And, you know, your barber
21 shop.

Q. Okay. So what does the pod porter do?

23 A. Pod porter is basically responsible for the
24 general cleaning and the sanitation of the pod itself.
25 From sweeping the floor, to mopping the floor, wiping

1 Terrence Lane

2 detainee. That \$4 is probably just as important to
3 him as my paycheck is to me.

4 BY MS. CASSLER:

5 Q. Uh-huh. And to your knowledge, do detained
6 workers use their paychecks to buy food?

7 (Reporter clarifies.)

8 MR. LEE: Foundation.

9 THE WITNESS: Some of them use it to buy
10 food. Some of them use it to buy phone time, yes,
11 ma ' am.

12 BY MS. CASSLER:

13

18 0. What do you take that to mean?

19 MR. LEE: Foundation.

20 THE WITNESS: The detainee doesn't want to
21 participate in a voluntary work program because he
22 doesn't feel like he's getting enough money.

23 BY MS. CASSLER:

24

1 Terrence Lane

2 where I make \$5 an hour, that \$5 to me is just as
3 important as to someone making \$40 or \$50 an hour.

4 So, yes, ma'am.

5 BY MS. CASSLER:

6 Q. And detained workers might use their
7 wages to buy things at the commissary, right?

8 MR. LEE: Foundation.

9 BY THE WITNESS:

10 A. Yes, ma'am, probably one of many
11 things.

12 BY MS. CASSLER:

Q. And another thing they might use
their wages for is to buy phone time to call
people outside of detention, right?

16 MR. LEE: Foundation.

17 BY THE WITNESS:

18 A. Yes. Yes, ma'am.

19 BY MS. CASSIUS:

20 Q. Is there anything else that they
21 might use their wages to pay for?

22 MR. LEE: Foundation.

23 BY THE WITNESS:

24 A. Some of them may send their wages
25 home to their family, ma'am.

1 Terrence Lane

2 BY MS. CASSLER:

3 Q. Can they use their wages to buy

4 personal hygiene items at the commissary?

5 A. Yes, ma'am.

6 [REDACTED]

[REDACTED]

[REDACTED] ■

[REDACTED]

1 Terrence Lane

2 A. No, ma'am.

3 Q. Sometimes phone cards were used to
4 incentivize extra work beyond 40 hours in the
5 kitchen, right?

6 MR. LEE: Form.

7 BY THE WITNESS:

8 A. Yes, ma'am, it was.

9 BY MS. CASSLER:

10 Q. And that happened when you needed --
11 or when the facility needed people to work a sixth
12 or even seventh shift in a week, is that right?

13 MR. LEE: Object to form.

14 BY THE WITNESS:

15 A. That has happened, yes, ma'am.

16 BY MS. CASSLER:

17 Q. So can you tell me the mechanics of
18 how that would happen?

19 A. If a detainee decided he wanted to
20 order -- or they needed overtime detainees to
21 work, they would be -- they would be given the
22 opportunity to work that overtime and as payment
23 they would pay them that additional \$5 worth of
24 phone time or something of that nature for leading
25 that task.

1 Terrence Lane

2 Q. Would they also get paid their
3 normal daily shift day, which I think was \$4 on
4 top of the phone card for that extra day?

5 A. Yes, ma'am, they would.

6 Q. And workers who did that were often
7 referred to as volunteer kitchen workers, right?

8 A. Yes, ma'am, but actually all of them
9 were volunteers.

10 Q. All right. But just in terms of
11 when we're reading documents and there's a
12 reference to volunteers for extra shifts that
13 means people who are working beyond their
14 scheduled shifts, right?

15 A. Yes, ma'am. Yes, ma'am.

16 Q. All right. I'm trying to skip
17 things so we can move more quickly. Let's pull up
18 the next exhibit. It will be marked as 14.

19 (Document marked as Deposition
20 Exhibit No. 14 for
21 identification.)

22 BY MS. CASSLER:

23

1

Terrence Lane

Page 195

1

Terrence Lane

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

7 Q. Okay. We can take that exhibit
8 down. We're going to shift gears a little bit and
9 talk about food.

10 Are you familiar with the food
11 service at Stewart?

12 A. Yes, ma'am.

13 Q. As a unit manager, did you have any
14 duties related to food service?

15 A. Not per se, no, ma'am. My only
16 duties for food service would be to check quality
17 and actually talk to the detainees when I dealt
18 with them if they had any issues.

19 Q. When you say check quality, what do
20 you mean?

21 A. I would actually go to the unit, go
22 to the chow hall with my detainees and I would
23 grab a tray off the line and sit down and have
24 lunch with them.

25 Q. So you monitored meal quality as a

6 Q. Thank you for clarifying. Is there
7 a limit on how long someone can be placed in
8 disciplinary segregation?

9 A. If you go by policy, ma'am, a 100
10 code can get an individual up to 60 days in
11 restricted housing, a 200 code can get an
12 individual up to 30 days in restricted housing, a
13 300 code carries about 72 hours in restricted
14 housing. We don't typically leave individuals in
15 restricted housing for 60 days for -- even for a
16 100 code.

17 Q. So there are times when people are
18 placed in segregation before they have been found
19 guilty of any violation, is that right?

20 A. Yes, ma'am.

21 Q. And is that administrative
22 seqreqation?

23 A. All detainees enter segregation
24 under disciplinary actions. They're not
25 considered disciplinary -- restricted disciplinary

1 Terrence Lane

2 segregation detainees until after the completion
3 of their hearing. They are administrative seg,
4 yes, ma'am.

5 Q. And is there a time limit for how
6 long someone can be placed in administrative seg?

7 A. Anything -- that can vary, ma'am.

8 Depending on the circumstances or situation, an
9 individual can be extended on administrative seg
10 with the authorization of the ADO staff.

11 0. And can that be indefinite?

12 A. I'm not going to say indefinite, but
13 it can be extended, ma'am.

14 Q. Okay. So are you aware of any hard
15 stop, any limit on that, on the extensions that
16 could be given for that?

17 A. I don't know -- I don't know of a
18 stop time, ma'am.

19 Q. Mm-hmm. And are administrative
20 segregation placements documented?

21 A. Yes, ma'am, they are.

Q. Is it fair to say that placement in seq is the harshest sanction that can be imposed?

24 MR. LEE: Object to form.

1 Terrence Lane

2 professionalism, feel some type of rapport and
3 show them some type of an example to follow.

4 Q. Isn't it true that refusing to obey
5 a staff command is also actually a disciplinary
6 infraction?

7 A. Yes, ma'am, it is a 300 charge
8 violation.

9 Q. So -- okay. It's a 300 charge
10 violation. So that means it's theoretically
11 possible for a person to be sent to segregation as
12 a result of that disciplinary infraction, right?

13 A. Yes, ma'am, it is.

14 Q. Mm-hmm. Have you ever heard a
15 CoreCivic staff person tell a detained person that
16 they could get sent to segregation if they don't
17 comply with an order?

18 A. I have heard that before, yes,
19 ma'am, I have.

20 Q. Have you ever said that to a
21 detained person?

22 A. No, ma'am, I have not.

23 Q. Do you think that mentioning
24 segregation as a possible consequence is a useful
25 way to encourage compliance with staff leaders?

1 Terrence Lane

2 BY MS. CASSLER:

3 Q. Have you ever personally sent a
4 detained person to segregation?

5 A. Yes, ma'am, I have.

6 Q. And how often have you done that?

7 A. Over the years, ma'am, I've been a
8 shift supervisor and I've been at that level for
9 almost 11 years. So to tell you how often I've
10 done that, I couldn't even begin to grab a hold of
11 it.

12 O. Mm-hmm. So it's a large number?

13 MR. LEE: Object to form.

14 BY THE WITNESS:

15 A. It's probably quite a bit.

16 BY MS. CASSLER:

17 Q. What does the term lockdown refer
18 to?

A. The term lockdown would be the

20 actual securing of whether it be an entire POD or
21 an entire unit.

22 Q. When you say securing the POD or the
23 unit, what do you mean?

24 A. That would be if it's in a closed
25 POD with cells. all detainees are inside in their

1 Terrence Lane

2 Q. Mm-hmm. When a disciplinary
3 lockdown is in place, can detained individuals use
4 the phones?

5 A. Not initially, no, ma'am.

6 Q. What do you mean when you say not
7 initially?

8 A. The initial lockdown process they
9 may not be able to use a phone, but eventually we
10 do go to a process where we start to -- start to
11 come back to normal where we start to let
12 different groups out one or two people at a time
13 to come do stuff like use the phone, go to the
14 bathroom, take a shower, take showers and stuff of
15 that nature depending on how long the lockdown is
16 instituted.

17 Q. So you just said that you might --
18 there might be a time when the lockdown is winding
19 down when people might be allowed to use the
20 bathroom?

21 A. Well, if you look at -- yes, ma'am.
22 If you look at a closed unit, closed units have
23 bathrooms inside. So there's no need to worry
24 about bathroom facilities and stuff. But when you
25 start looking at detainees being able to take

1 Terrence Lane
2 showers, they don't have showers inside. So when
3 they start -- when you start walking it back to
4 get to normal, then, yes, they can -- we'll
5 actually start maybe two at a time going to take
6 showers. A lot -- a lot of everything -- the
7 questions you're asking me depend on the incident
8 itself.

9 Q. That makes sense. So you said in
10 disciplinary lockdown people in an open bay POD
11 are allowed to go to the bathroom.

14 A. What happens -- it's not matter of
15 getting permission, but what happens is when we
16 don't have some type of control or some type of
17 control point instead of one person getting up off
18 the bed to go to the bathroom, six people get up
19 off the bed to go to the bathroom. Then it
20 becomes a running joke like how many people can
21 get up and go to the bathroom before someone says
22 something to them. So does it get to the point
23 where, okay, yeah, stay on your bunk, get the
24 officer's attention before you go to the bathroom?
25 Yes, ma'am, it does come to that point.

Page 280

1 Terrence Lane

2 STATE OF ILLINOIS)
3 COUNTY OF COOK) SS.

4

5 I, Steven Brickey, Certified Shorthand
6 Reporter, do hereby certify that on the 5th day of
7 October, A.D., 2021, the deposition of the
8 witness, TERRENCE LANE, called by the Plaintiff,
9 was taken before me, reported stenographically,
10 and was thereafter reduced to typewriting under my
11 direction.

12 The said deposition was taken remotely via
13 Zoom and there were present counsel as previously
14 set forth.

15 The said witness, TERRENCE LANE, was first
16 duly sworn to tell the truth, the whole truth, and
17 nothing but the truth, and was then examined upon
18 oral interrogatories.

19 I further certify that the foregoing is a
20 true, accurate, and complete record of the
21 questions asked of and answers made by the said
22 witness, TERENCE LANE, at the time and place
23 hereinabove referred to.

24 The signature of the witness, TERRENCE LANE,
25 was reserved by agreement.

Page 281

Terrence Lane

2 The undersigned is not interested in the
3 within case, nor of kin or counsel to any of the
4 parties.

5 Witness my official signature in and for
6 Cook County, Illinois, on this 16th day of
7 October, A.D., 2021.

8
9
10

Steven Brickey

STEVEN BRICKEY, CSR, RMR, CRR
8 West Monroe Street
Suite 2007
Chicago, Illinois 60603
Phone: (312) 419-9292
CSR No. 084-004675

16
17
18
19
20
21
22
23
24
25

Page 282

1 Terrence Lane

2 CERTIFICATE OF OATH

3 THE STATE OF FLORIDA

4 COUNTY OF PALM BEACH

5

6

7 I, the undersigned authority, certify that

8 TERRENCE LANE personally appeared before me and was duly
9 sworn.

0

Dated this 16th day of October, 2021.

- 2

- 3

- 4

[Signature]

Pamela J. Pelino, RPR, FPR
Notary Public - State of Florida
My Commission No.: GG 225932
My Commission Expires: June 7, 2022

1

1

Page 283

1 Terrence Lane

C E R T I F I C A T E

3 THE STATE OF FLORIDA

4 COUNTY OF PALM BEACH

5

6 I, Pamela J. Pelino, Registered Professional
7 Court Reporter and Notary Public in and for the State of
8 Florida at large, do hereby certify that I was
authorized to and did report said deposition in
stenotype; and that the foregoing pages are a true and
correct transcription of my shorthand notes of said
deposition.

10 I further certify that said deposition was
11 taken at the time and place hereinabove set forth and
that the taking of said deposition was commenced and
completed as hereinabove set out.

I further certify that I am not attorney or
counsel of any of the parties, nor am I a relative or
employee of any attorney or counsel of party connected
with the action, nor am I financially interested in the
action.

16 The foregoing certification of this transcript
does not apply to any reproduction of the same by any
means unless under the direct control and/or direction
17 of the certifying reporter.

18 Dated this 16th day of October, 2021.

19

20

21

[Signature]

Pamela J. Pelino, RPR, FPR